

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

(1) MARK RAYMOND, an Individual,

Plaintiff,

v.

Case No. 20-cv-00122-JED-CDL

(1) AMERICAN MERCURY INS. CO., a
Foreign Corporation,

Defendant.

NOTICE OF MATTER UNDER ADVISEMENT

COMES NOW the Plaintiff, Mark Raymond, and hereby advises the Court Defendant's *Motion to Dismiss*, Dkt. # 7, has all been pending over ninety (90) days and that the same is fully briefed and ripe for hearing and decision by the Court.

RELEVANT PROCEDURAL POSTURE

1. Plaintiff filed the instant lawsuit claiming on March 25, 2020. *See* Complaint, Dkt. # 2.
2. Defendant filed its *Motion to Dismiss* on April 28, 2020, and the same was fully briefed on June 4, 2020. *See* Motion, Dkt. # 7, Response, Dkt. # 11, Reply, Dkt. # 15, Corrected Reply, Dkt. # 18.
3. After Defendant objected to participating in discovery while its *Motion to Dismiss* was pending, the Court stayed discovery pending determination of the same. Dkt. # 39.
4. On November 3, 2021, the Court referred the *Motion to Dismiss* to Judge William Young for disposition. Dkt. # 41.
5. On June 21, 2022, Plaintiff filed his *Notice of Supplemental Authority* advising the Court of the recent Oklahoma Supreme Court decision in *Coates v. Progressive*, 2022 OK 45. Dkt. # 43.

6. Plaintiff respectfully advises that if the Court believes a hearing would be helpful given the issues in this case, Plaintiff is willing and able to travel to Boston for the same.¹

Respectfully submitted,

SMOLEN | LAW, PLLC

/s/Lawrence R. Murphy, Jr.

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Attorneys for Plaintiffs

¹ Plaintiff's counsel will make himself available on any of the following dates:

<https://www.mlb.com/redsox/tickets/single-game-tickets>

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of July, 2022, I caused the foregoing to be submitted to the Clerk of Court using the ECF System for filing and for transmittal of a Notice of Electronic Filing to all counsel of record herein.

/s/Lawrence R. Murphy, Jr.